




“I was treated like a dog instead of a human being: Degradation, negligence, and abuse in ICE’s El Paso Processing Center



DETAINED MIGRANT
SOLIDARITY COMMITTEE

EL PASO, TEXAS

November 2016



The Detained Migrant Solidarity Committee formed in 2015 to fight for human dignity across borders and challenge responses to migration that promote militarization and mass incarceration. We are an El Paso-based collective of over 200 community members, including activists, family members of detainees, students, clergy, attorneys, and other working people.

The DMSC participates in the Borderland Immigration Council, formed during summer 2016, alongside organizations and attorneys serving the migrant population in the El Paso region.

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A LETTER FROM THE DETAINED MIGRANT SOLIDARITY COMMITTEE

Individuals held at the EPC first contacted the Detained Migrant Solidarity Committee in August, through a letter signed by 77 detainees across two housing units to “express [their] desperation” over a range of “human rights abuses.” The DMSC attempted to communicate with many of these individuals to learn of their complaints and discuss ways in which we could support the detainees. Since then, other current and formerly detained people have also contacted us to share their own stories. Their testimonies make up the greater part of this report.

This report highlights degrading, dangerous, and inhumane conditions at Immigration and Customs Enforcement’s El Paso Processing Center, located at 8915 Montana Avenue (“EPC”). Our findings are similar to those detailed in recent reports regarding immigration detention at facilities across the country by organizations such as the American Civil Liberties Union, Detention Watch Network, and the National Immigrant Justice Center.¹

We will send copies of this report to the DHS Office of Civil Rights and Civil Liberties, the DHS Office of the Inspector General, USCIS Ombudsman, U.S. Representative Beto O’Rourke, and Texas State Senator José Rodríguez. We will also furnish congressional offices, upon request, with further documentation relating to many of the cases described in this report. While the Detained Migrant Solidarity Committee ultimately hopes to see immigration detention abolished entirely, we have included a list of demands at the end of this report which we believe are necessary to ensure that ICE in El Paso treats all people with dignity within the parameters of the current immigration enforcement apparatus.

¹ “Fatal Neglect: How ICE Ignores Death in Detention” (Feb. 2016) and “Shutting Down the Profiteers: Why and How the Department of Homeland Security Should Stop Using Private Prisons” (Sep. 2016), ACLU; “Lives in Peril: How Ineffective Inspections Make ICE Complicit in Detention Center Abuse” (Oct. 2015), Detention Watch Network; “ICE’s Systemic Lack of Accountability in Immigration Detention Contracting” (Aug. 2015), National Immigrant Justice Center.

Barracks #4

To Whom It May Concern:

With this letter, we would like to infuse our discontent in the way general population at EPC located at 8915 Montana Ave El Paso, Texas 79925 are overall treated. People with special diet needs of all kinds, either for health needs or religious believes are not being met with no explanations or reason given on the subject; Doctor's orders for those with health problems that require them to go on a special diet, are ignored by both; kitchen workers and detention facility authorities as well. This problem has been going on for a while now; and this is only one of the many issues violated and ignored, that clearly violate Human Rights and Health Department codes. Hot foods are being served not at the right temperature, at times; certain cold pasta salads have been served while still partially frozen and inedible.

The many complaints to the lieutenant and captain on duty have been unsuccessful because neither of them seems to care enough to take action on the matter. We feel our Human Rights are being shamelessly violated without any remorse from their part as officials, that are supposed to be vigilant of our Human Rights in order to ensure that they are met at all times regardless of immigration status nor criminal record for each individual. The food that is being served at this facility is less than poor in quality and taste. We know they have the funds and means to improve the quality of ingredients used to prepare our meals but they simply don't care; we are just a number to them and we do not exist as human beings. Health Care is another issue that we would like to address; health problems of all kinds are being ignored most of the time, and medication is hard to be obtained and/or refilled. Medication has been replaced with the **"Drink lots of water and it will go away"** advice. We feel the intervention of someone with power above the authorities in charge of this place is necessary in order to better the treatment and overall respect due to every detainee currently in this facility, regardless of their Race, Color, Religious belief or immigration status; because we have already paid our dues to society and we no longer are serving time for mistakes we made in the past, but instead, we are still being treated as inmates serving time for a crime and not as detainees waiting for our immigration situation to be resolved. Also the respect Due to every detainee is not being met by the security officers stationed in the barracks; they go by their own personal rules, and not by the rules and regulations stated in the Hand Book of conduct. These officers manipulate us by threaten us with solitary confinement or transfer to another facility. Once again we would like to state our discontent with the situation and violations that have been ignored for too long now, and we pray for your understanding and your help in resolving this matter as soon as possible, for this is a very delicate matter and we are in need of your help. We have collected signatures that express our desperation in the matter and are attached to this letter.

The time you take to review this letter and the time you use to foresee, that this situation gets resolved, is greatly appreciated by all of us. Thank you

Respectfully yours,

Detainees at EPC

The DMSC received this letter in August, signed by 77 detainees in Units One and Two of the El Paso Processing Center.

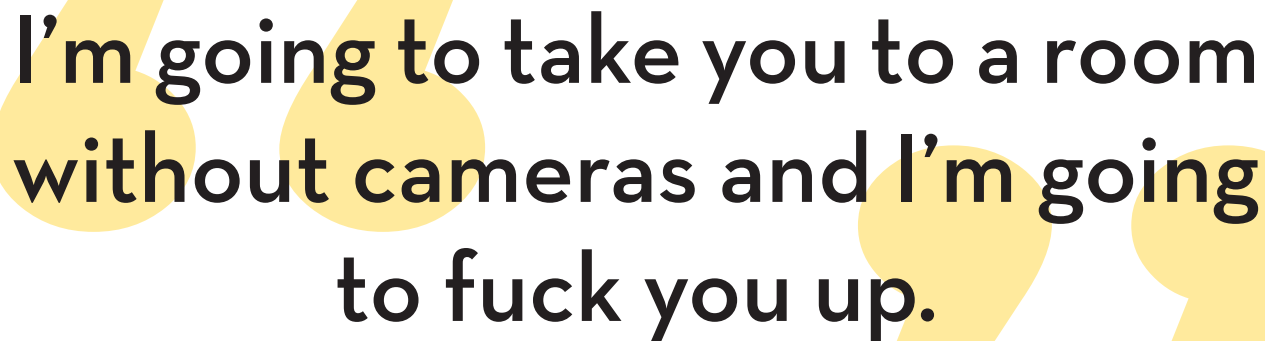


SUMMARY OF FINDINGS

This report highlights an alarming number of alleged instances of abuse, negligence, and degrading treatment in the El Paso Processing Center.

Our findings suggest that ICE's administration of the EPC has resulted in a pattern of negligence and a culture of degradation and abuse, including physical and verbal abuse, a troubling reliance on solitary confinement as a punitive measure, substandard medical care and food preparation, and an unwillingness of administrators to minimize the detrimental effects of long-term detention and family separation. Detainees described conditions in the EPC as "worse than prison." Another detainee succinctly put it, "They treat us like animals."

Specific abuses alleged by detainees range from demeaning comments to physical violence. One ICE officer attempted to assault a detainee after telling him, "I'm going to take you to a room without cameras and I'm going to fuck you up." Other guards made fun of a detainee by singing "La cucaracha" after she bit down on a cockroach in her food. Interviewees described detention center staff using constant threats of solitary confinement, transfer to other facilities, and adverse impacts on their immigration cases, and numerous individuals described staff explicitly saying variants of the phrase, "This is our house and we'll do whatever we want." The testimonies in this report evidence not only a lack of basic decency towards detainees, but an organizational structure in ICE's El Paso operations that allows impunity for insults, negligence, and abuse.



I'm going to take you to a room
without cameras and I'm going
to fuck you up.

Based on our extensive conversations with detained people, their families, and a number of immigration attorneys over the course of this study, the DMSC has identified five principal areas of concern in the El Paso Processing Center:²

1. Physical and verbal abuse by ICE officers and security staff
2. The punitive and inhumane use of solitary confinement (isolation/segregation)
3. Denial of adequate medical and mental health care
4. Unsanitary food preparation
5. Prolonged detention and family separation

While outside the scope of this report, we are also extremely concerned about a number of related issues regarding detention policy and practice. These include obstructions to detainees' right to legal counsel, the inadequate use of and abuse of discretion by ICE officials in the humanitarian interests of detainees and their families; and lack of transparency and accountability for ICE officials and private contractors.³ Particularly in light of the incoming presidential administration, which has vowed to expand and intensify immigration enforcement operations including detention, we believe it is vital for anyone holding a position of influence to proactively demand increased accountability in all areas of ICE operations, in order to respect and uphold detainees' dignity and rights under the law. As a community-based collective, the DMSC believes we must demand, now more than ever, that our government treat everyone in our community with respect, dignity, and basic human rights.

² "Shadow Prisons: Immigrant Detention in the South (Nov. 2016), Southern Poverty Law Center.

³ For more about these issues, see, for example, "Immigrants' Long Road to Legal Counsel" (Jul. 11, 2016), Pacific Standard; "California's Due Process Crisis: Access to Legal Counsel for Detained Immigrants" (Jun. 2016), The California Coalition for Universal Representation; "Lives in Peril: How Ineffective Inspections Make ICE Complicit in Detention Center Abuse" (Oct. 2015), Detention Watch Network; "American Exile: Rapid Deportations that Bypass the Courtroom" (Dec. 2014), ACLU.

Quick Facts

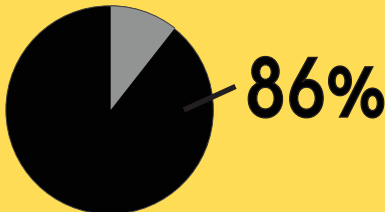
EL PASO SERVICE PROCESSING CENTER



Number of people detained at the EPC on any given day



3:1 Ratio of male to female detainees



Percentage of detainees that were deported or accepted for 'voluntary departure' at the EPC, compared to a national average of 55%.

The El Paso Service Processing Center is one of over 600 facilities across the country holding ICE detainees. On any given day, over 800 people are detained at the Processing Center, though the EPC lists a holding capacity of 1,100 individuals. The proportion of male to female detainees is nearly 3:1. Turnover is extremely high: from October 2014 to September 2015, a total of over 14,000 individuals were held at the EPC, with lengths of stay varying from a few hours to well over a year. During this period, 86% of detainees at the EPC were deported or accepted "voluntary departure," as opposed to only 55% for ICE detainees in all facilities across the U.S.

The EPC is an ICE facility that holds individuals in long-term detention and 'processes' numerous migrant families who are in transit on a daily basis. Though the EPC is under ICE management, most security and facility-operations tasks are contracted out to a private company. Since November 2015, these responsibilities have been tasked out to Alaska-based Global Precision Systems, LLC ("GPS"), which itself subcontracts 202 of its total 411 officer positions to Corpus Christi-based Asset Protection & Security Services, LP. Before GPS was awarded its contract, contract operations were headed by Alaska-based Doyon Security Services, though continuity in personnel and administrative processes seems to have characterized the change.⁴

ICE, along with Customs and Border Protection ("CBP") and United States Citizenship and Immigration Services ("USCIS"), forms part of the Department of Homeland Security ("DHS"). ICE Enforcement and Removal Operations in El Paso are under the direction of Field Office Director Corey Price, who arrived at the post in late 2015. Attorneys and local immigrants' rights organizations comprising the Borderland Immigration Council ("BIC") have publicly denounced callous deportations as well as high rates of denial for humanitarian parole and asylum application under Price's leadership in 2016.⁵

⁴ Information in this section gathered from ICE Office of Detention Oversight Compliance Inspection for the El Paso Service Processing Center (Mar. 15-17, 2016). Retrieved from [https://www.ice.gov/sites/default/files/documents/FOIA/2016/elPasoServiceProcessingCenterElPaso TxMar15_17_2016.pdf](https://www.ice.gov/sites/default/files/documents/FOIA/2016/elPasoServiceProcessingCenterElPaso%20TxMar15_17_2016.pdf); "Detainees Leaving ICE Detention from the El Paso Service Processing Center," Syracuse University TRAC Immigration report (Sep. 30, 2015). Retrieved from <http://trac.syr.edu/immigration/detention/201509/EPC/exit/>; and National Labor Relations Board, Region 28 Decision and Order, Case 28-RC-182671 (Sept. 26, 2016).

⁵ See "Immigration Attorneys Denounce Prolonged Detentions" (Jul. 27, 2016) and "Advocacy Group Calls on Authorities to Stop Deporting Immigrants Eligible for Humanitarian Parole" (Oct. 21, 2016), Fronteras Desk. Retrieved from <http://rkbn.fronterasdesk.org/content/10381/immigration-attorneys-denounce-prolonged-detentions> and <http://www.fronterasdesk.org/content/10462/advocacy-group-calls-authorities-stop-deporting-immigrants-eligible-humanitarian>.

METHODOLOGY & LIMITATIONS



Methodology...

This is a qualitative report pertaining to the conditions in which ICE holds longer-term detainees at the El Paso Processing Center, and the findings are based on statements and documents provided by detained individuals from August 2016 to November 2016. Most of the incidents described in this report were relayed to members of our committee by detained individuals during in-person visitation, written correspondence, and telephone conversations. We were first made aware of other situations during conversations with practicing immigration attorneys. Where possible, we have corroborated their testimony as thoroughly as possible by requesting copies of submitted grievance forms and/or comparing individual testimonies with the limited information obtained through internal inspection reports. Nonetheless, restrictions at the detention center made rigorous documentation difficult; detainees placed in solitary confinement, for example, did not have full access to their papers or mail service, and time limitations often prevented highly detailed spoken narratives. In some cases, we have depended on family members or legal representatives for pertinent documents or updated information about detainees' situations.

Limitations...

The major limitation faced was our ability to gather information. This limitation is indicative of a lack of transparency throughout DHS operations as well as the innumerable obstacles detainees' loved ones face when attempting to obtain basic information of their loved one at the EPC. Such obstacles manifest themselves in numerous ways. ICE's online detainee locator, inexplicably, does not appear to include anyone held at the EPC, hindering searches for people within the ICE system. Calls to EPC's reception line, where family members must inquire about whether an individual is held at EPC or visitation times, often go unanswered. Authorities routinely fail to inform family members about significant developments in their loved ones' detention, such as hospitalization or placement in isolation. Interviewees repeatedly told us they feared guards would retaliate against them for speaking out about abuses. Because we do not provide legal services, we are subject to the same heavy limitations as family members or friends visiting their loved ones in detention. These include brief windows for visitation (amounting to one hour per person on one specific day of the week); unpredictable wait times and rule changes; and the inability to share documents, record conversations, or, sometimes, even take written notes during in-person visits. EPC personnel have denied visits to the detention center by DMSC members and relatives of detainees during the course of our research on grounds ranging from detainees being "under investigation" to female visitors wearing "inappropriate" clothing such as shorts.

note on anonymity

The DMSC decided not to identify any individuals in this report. Many, though not all, of the individuals we interviewed requested anonymity in fear of retaliation by detention center officials or negative effects on their ongoing cases before immigration judges. Others who we interviewed requested that their stories not be shared at all due to the same concerns. Another important consideration favoring anonymity is the potential for scam artists, government officials, or organized crime to use information about detainees either against the detainees themselves or their families in their home countries. The DMSC prioritizes the safety of detained people and their families, and furthermore wishes to maintain this report's focus on conditions within the EPC, rather than on individual personalities.



Issues

&
Examples



PHYSICAL AND VERBAL ABUSE BY ICE OFFICERS AND SECURITY STAFF

Nearly every detainee we spoke with has asserted that both contracted security guards and ICE agents routinely employ verbal abuse, including threats of solitary confinement, physical harm, deportation, and transfer to other facilities, notably the West Texas Detention Facility in Sierra Blanca. These are not empty threats. We have received multiple complaints of physical abuse by both contracted security guards and ICE agents against non-threatening individuals, as well as the routine use of solitary confinement as a punitive measure. Based on the information we have collected, it appears that EPC administrators have fostered a culture of gratuitous degradation and excessive physical force against detainees.

He told me I was nobody,
and if wanted he could
fuck me and beat me.

- One detainee filed a grievance form after a guard aggressively grabbed his testicles and buttocks during a routine revision. “The official ... squeezed so tightly ... that it caused me intense pain.” When the detainee pulled away and questioned the guard, he wrote in the grievance, the guard threw him to the ground. The guard took the detainee to the medical area because of the resulting cuts and pain, but afterwards took him to a “punishment room” where ICE agents continued to verbally abuse and threaten him. He wrote that one ICE officer “told me I was nobody, and if he wanted he could fuck me and beat me” (“ahora mismo te encuero y te doy una Madriza”). The detainee concluded the grievance, “I was treated like a dog instead of a human being.”

DETAINEE GRIEVANCE FORM

EPC-09 26 16 ¹ grievance must be filed within a reasonable timeframe of original incident or issue
YR MO DY Grievance # _____

Detainee Name: _____ A#: _____ Housing Unit: 1

Informal: ☒ Formal: ☐

Is this a medical issue: Yes ☐ No ☒

Complaint/Comments: Por este medio Certifico que el domingo 31 de Julio a la 1.P.M. El Oficial _____ cuando estaba haciendo las Revisiones de rutina a los Internos cuando salimos del Area del Comedor, el Oficial _____ me Apreto tan, y tan fuerte mis Testiculos y mis Gluteos, que me provoco un dolor tan fuerte, que me vortie, y le pregunte, que por que me apretava tan fuerte, en mis partes privadas y el Oficial _____ reacciono Violentamente, Lanzandome Bruscamente al Piso, provocandome, multiples dolores, y Laceraciones, en mis Pier- nas, y manos, por lo cual fui trasladado al Area de Emergencia, donde fui medicado con Calmantes, por los fuertes dolores a consecuencias del golpe recibido al caer, aparte del que ya sentia en mis Testiculos Despues de ser tratado con medicamentos, fui trasladado al Proceso donde me pusieron en un cuarto de castigo el # 8 Acto seguido llego el Oficial de I.C.E. El Sr. _____, con el Capitan _____, este ultimo le abrio la puerta al Oficial de I.C.E. _____ el cual se Abalanzo Amenasandome, y provocandome disriendome que yo no era nadie que si a el le dava la gana ahora mismo te encuero y te doy una Madriza por que yo aqui no mas vengo haser mi Jale. el cual me pare y le dije

Detainee signature: _____ Date: 09/26/16 Time: _____ am pm
Sigueee.....

INFORMAL: Resolution is accepted by detainee: Yes ☐ No ☐

(2)

Le pregunte , que cual era su Jale, que si era Maltratar, y GORPEAR a las personas, que hisiera su Jale, Acto seguido se me abalanzo el Capitan _____, de una manera muy Violenta, con mucha Salivas en su boca, y muy colorado en su rostro,

Acto seguido fue cuando el Sr. _____, me amenazo, con llamar a las Fuerzas Espesiales, que el tiene a sus Disposicion, para que vengan por mi me lleven al area de castigo Arrastrandome si esto fuera nesesarario todo esto bajo Ordenes del Sr. _____, y el Capitan _____.

En un claro acto de Abuso de poder, y de Autoridad. estuve en el Area de Castigo, donde fui tratado como un perro, no como un ser humano.

No havia denunciado antes, por que estaba Ame- nasado, por los Oficiales, _____, y el Capitan _____.

In this internal grievance form, a detained man describes a guard tightly squeezing his testicles during a routine pat-down. When the detainee reacted, the guard threw him to the ground and took him to an isolation cell. The detainee writes that an ICE official later told him "that I was nobody, and if he wanted he could fuck me and beat me." He concludes the grievance, "I was treated like a dog, instead of a human being."

- Another detainee described an incident in May 2016, and documented it in a grievance form, in which an ICE agent became upset with a detainee for knocking on a door in order to go from a patio area to the medical unit. The ICE officer, according to the detainee's testimony, told him "You've fucked yourself over asshole. I'm going to take you to a room without cameras and I'm going to fuck you up." Among further insults, the ICE agent also told him he would deport the detainee. The officer took the detainee towards the processing area—where administrative matters are handled—but instead took him to a shower area, where he tried to strike the detainee twice before he desisted due to a security guard walking into the area. Later, the ICE officer again called the detainee into the processing area to tell him to not speak up about the incident if he didn't want problems. The detainee did file a grievance against the officer, despite writing, "I was afraid that he would harm me ... and I had many nightmares that reminded me of what had been done to me in Mexico, because the police that beat and tortured me used the same words as [the] officer."

I was afraid that he would harm me... and I had many nightmares that reminded me of what had been done to me in Mexico.

- As early as December 2015, one detainee filed a grievance form stating that an ICE officer screamed at and threatened to bring his "clica" (gang, friends) to deal with a group of detainees who refused to eat a meal due to poor quality. When the detainee tried to say something, the agent "grabbed me and pushed me to security," and was sent to processing. ICE officials' response to his grievance shows why numerous detainees told us they have little faith in the grievance process. The detainee reported that officers repeatedly pressured him to drop the issue and told him that making a grievance could affect his immigration case. About a week later, the detainee received a response to his grievance stating only that "A proper investigation cannot be conducted at this time due to the person you mention in this grievance no longer works for the ICE facility" (sic). Sometime later, the detainee again communicated with ICE officials to inquire about the officer in question, because he had seen the officer on duty in the detention center. He received an official response over two months later, that said, "The previous grievance you submitted was in fact against an ICE official who was previously NOT on the facility. Since he has returned to the EPC, this is beyond anyone's control" (sic).

- Another detained person, who had previously complained to us about verbally and physically abusive behavior by guards, reported that he was assaulted by a guard during the course of our research, and punished as a result. According to this individual, a GPS security guard pushed a group of detainees on September 27, 2016, and punched and kicked him after the detainees took offense, forcing him to defend himself. In a letter dated October 4, 2016, 39 detainees wrote to us stating that the guard in question had instigated the incident by aggressively pushing detainees while they were leaving the mess hall. According to their testimony and corroborating interviews with witnesses, when detainees told the officer not to push them and to “calm down,” the officer “used aggravated force” against the individual in question “and proceeded with a kick and a fist punch aiming at the detainee.” The detainee, witnesses assert, struck the guard once in self-defense. ICE sent at least two detainees to isolation cells as a result of the incident. The individual in question remained in the “hole” and medical staff discontinued his medication to treat symptoms of PTSD for part of this time. On November 3, officials transferred him to the El Paso County Jail on federal assault charges. According to the witnesses’ letter, “We have had many altercations ... like these in the past and in which the officers make up [their] stories on paper to have the detainee get the maximum punishment.”

- Another detainee wrote a grievance alleging a different guard aggressively referred to detainees as “dogs” while ordering them away from the dining room without having eaten.

- One individual required the use of a walker while detained in the EPC due to a severe spinal injury, and complained that guards mocked him for using the device. He also claimed that, despite this injury and his condition as a diabetic, ICE deported him to Piedras Negras in September 2015, even though he had previously requested to be deported to Ciudad Juárez where he planned to reside. This individual claimed that, when he asked his Deportation Officer to reconsider where he would be deported to, the officer responded, “You’re going to go wherever I say you go.”

- Detainees are also housed at the EPC who claim to have suffered abuse in other ICE detention facilities. One person told us that he was beaten by guards while handcuffed on July 17, 2016, then placed in a segregation cell for 13 days and denied medical care before being transferred from the facility. An incident report and EPC medical reports which the detainee provided to us support his allegations. We are extremely concerned that transfer between facilities, like solitary confinement and threats of deportation, are used by authorities as means to punish detainees and avoid accountability for abuses.

When I got here to El Paso Processing center the first thoughts I had were, How am I gonna make it thru this terrible place. Being polite to the ICE agents as well as guard didn't make things any better. In fact things got worse. They threaten us like a animal. The first night in, I got sick with a terrible cold. They have the AC blasting all day all night. I ask to be seen by the provider and it took them about 4 days. Which by the way my cold was gone. There has been countless incidents that take place by the Medical staff. Another time for example, I felt and my wrist got the worst of it. Again I asked to see the provider but the Nurse told me it's not serious enough. I argued with her & finally she asked me from 1 to 10 how much does it hurt. I told her a 9 and she laughed. A month and a week passed by, and the pain wasn't going away. So again I sought help from the Medical staff. This time I took No for an answer. Well the doctor set an appointment to get Xray. When the results came in she called me in just to tell me it wasn't broken. Well that's just the beginning of how bad things are around here. Where do I start on how they feed us in here. The food was cold countless times and I know they should have the food at certain amount of temperature. I have my colonoscopy art's certificate for a reason. Some times we find rocks and hair on the food. Most of the time they'll give us another plate of food. And there's those times when the captain or lieutenant will tell you I don't work the Kitchen deal with it. Well lets just say in the 3 months and half I've been here I've lost 17 pounds. It's not acceptable what goes on in here. Things here are not

This testimony echoes many of the complaints DMSC has repeatedly heard from detainees, including inadequate medical care, insulting or negligent behavior by staff, and contaminated food.

Moreover, according to detainees, abusive behavior is not only limited to security personnel and ICE agents, but also the medical staff:

- One detainee reported witnessing another detainee at sick call who was requesting help with severe allergies. The nurse, our informant told us, denied the request and told the detainee, “Why don’t you write to President Obama? Or better yet, why don’t you write to Trump?”
- Another detainee submitted a grievance detailing how nurses treated him aggressively and dismissively after his medication was mistakenly canceled. Although the detainee’s medication was reinstated, two days later he was taken to a “punishment cell,” where an official told him he would be charged for offenses committed against the medical staff. A findings report later issued by EPC staff, which was delivered to the detainee, showed that the detainee was accused of “Interfering with a staff member” (Charge 198) and “Conduct that disrupts or interferes with the security or orderly running of the facility” (Charge 199), both of which apply to conduct “of the greatest severity,” as well as “Insolence toward a staff member” (Charge 308).⁶ Though officials found the detainee had not committed the first two offenses and that “inconsistencies were found in nurses & officer statements” (sic), the detainee was found “guilty” of insolence. The Spanish-speaking detainee furthermore alleges that officials pressured him to sign statements in English which he feared amounted to a false confession.

Why don’t you write to President Obama? Or better yet, why don’t you write to Trump?

⁶ Charges are listed only by their numerical code on the detainee’s paperwork. The corresponding charges are found in “ICE/DRO Detention Standard” (Dec. 2, 2008) retrieved from https://www.ice.gov/doclib/dro/detention-standards/pdf/disciplinary_system.pdf.

2

THE PUNITIVE AND INHUMANE USE OF SOLITARY CONFINEMENT (SEGREGATION)

Individuals interviewed reported that solitary confinement, variously called “punishment rooms,” “the SHU,” “the hole,” and “la loba” by detainees, is routinely used for punitive ends against detainees.⁷ While in isolation, officials appear to limit detainees’ access to their own legal documents, along with family visits and phone calls, violating their own policy. Besides its punitive use, solitary confinement is used as an administrative tool. Among others, the American Civil Liberties Union, Human Rights Watch, and the U.N. Committee on Torture have repeatedly denounced the widespread use of solitary confinement in the United States due to adverse psychological and health impacts on detainees.⁸ The use of solitary confinement, particularly in a non-prison setting like immigration detention, raises serious questions about the physical and mental health effects on detained individuals as well as the punitive culture within the detention facility.

- One detainee (mentioned above) remained in solitary confinement for nearly five weeks after a physical altercation with a guard on September 27, 2016, although numerous witnesses affirmed that the altercation was initiated by the guard in question. This detainee, an asylum seeker, suffers from symptoms of PTSD including night tremors and medical staff discontinued his medication while in isolation. During this time, his family was unable to visit him or any other detainee in the facility, and an attorney who did speak to him after significant push back from staff reported that a note inside the visitation area instructed guards to not allow anyone to visit the individual. This is in violation of ICE’s own standards, which state that individuals should continue to receive both legal and personal visits while in segregation.⁹ The detainee reported losing approximately 20 pounds during his time in isolation.
- The DMSC learned from a detainee of another individual held in administrative segregation for at least three weeks, who claimed to be 13-years-old. Legal representatives inquired into the matter and did confirm that the individual was being held at the EPC in solitary confinement pending confirmation of his age. Before legal services providers were able to speak with the individual, they were informed that he had been transferred to a facility for unaccompanied minors around the weekend of October 29, 2016. A search of records from the Office of Refugee Resettlement, which is in charge of unaccompanied minors, only indicates that the individual was transferred out of its custody in October for “age redetermination.” After his transfer from the EPC,

⁷ ICE refers to solitary confinement as “administrative segregation” within a “Special Housing Unit” or “Special Management Unit.” See “ICE/DRO Detention Standard” (Dec. 2, 2008), retrieved from https://www.ice.gov/doclib/dro/detention-standards/pdf/special_management_units.pdf.

⁸ For a collection of recent reports and studies, see Solitary Watch’s website, <http://solitarywatch.com/resources/reports/>.

⁹ “ICE/DRO Detention Standard,” pg. 2.

searches of both the ORR database and ICE's adult detainee locator failed to provide any information about the individual's whereabouts.

- In November 2016, an individual initiated a hunger strike in protest of his continued detention and due process violations. After officials used various means to attempt to coerce him to eat, they threw him in an isolation cell for three days before transferring him to the medical unit.
- One long-term detainee with a leg injury was reportedly placed in solitary confinement for sending a hand-drawn map of the facility to his attorney to illustrate the lack of steps taken to accommodate his disability.
- Another individual was repeatedly threatened with solitary confinement for refusing to eat food after she had fallen ill and which she feared was unsanitary.

personal opinion they are exploiting us. The guards treat us like inmates when we are not inmates, we are detainees. Guards disrespect us; they yell at us and try to make us less, they are even hitting us now. Three days ago, Tuesday September 27, 2016 a detainee got push by a guard, another detainee interfere saying that it wasn't right and he got kick by the same guard, the detainee defend him self and for that he might be getting charges. On Sep 28, 2016 at 1:30 a.m. the guards were opening our lockers while we were asleep one detainee saw them and yell to let us know what was happening, one of the guards told him that he was going to write him up for doing that. We can't let this happen but if we stand for our rights ICE agents try to scare us with threats like. "You would be send to another facility" "you would get federal charges" "we would send you to the hole for some days", those are some of the threats I have hear from ICE agents. I have heard them insulting the detainees telling them to fuck there self's and things like that, I have witnesses that can reaffirm what I'm telling you. The ICE agents tell us that they are the bosses here and that we have to do what ever they want.

This detainee described routine abusive behavior by EPC staff and wished to remain anonymous for fear of retaliation.

3

DENIAL OF ADEQUATE MEDICAL AND MENTAL HEALTH CARE

Numerous detainees told us that the EPC often fails to provide adequate medical care. They have described long wait times to receive doctor's visits as well as the contemptuous behavior of medical staff toward detainees listed above. Interviewees have described typical treatment from the facility's medical unit as the "salt and water method" (i.e. advice to drink salted water) or dispensing of Ibuprofen for all classes of pain or illness.

- One individual was taken to EPC on Christmas Eve, 2015. Days before, he had requested asylum at the Paso del Norte Port of Entry after he claims he was tortured and beaten by police in Ciudad Juárez. He states that he was never given proper medical care for these injuries, instead receiving only an ineffective Ibuprofen prescription and a directive from medical staff to "drink a lot of water with salt."

This incident made me feel like I have a target on my back.

- The same individual had prescribed medicine stored in his locker thrown out by an officer during a "shakedown" in June 2016. The officer claimed the medication was expired, though the detainee disputed this at the time. "This incident made me feel like I have a target on my back," the detained person wrote in a grievance form, "and I am vulnerable to harassment from the guards."
- One detainee told us he has waited over two months after requesting a doctor's appointment for severe shoulder pain.
- Another detainee filed numerous grievances in September and October 2016 claiming that medical staff had negligently delayed treatment for a spider bite and severe fever, which continued to worsen despite visits to the facility's medical unit. According to the detainee's grievances, medical staff "did not seem to care" and told him he was "going to be deported anyway."

- Another person told us he has appendix pain, but was told by officials that he would not be treated “unless it was appendicitis.”

- One individual told us in September 2016 that his eyesight was rapidly deteriorating in one eye, but that officials refused him treatment. He told us he had visited an eye doctor early in his detention who told him he needed vision care, but that he was then taken to another doctor who concluded his eyesight was fine. An ICE internal inspection report from May 2016 states that ICE records indicated a detainee, most likely the same individual, made internal complaints about lack of vision treatment, but stated the complaint was unsubstantiated because the individual had received an eye exam in February and was informed he did not need glasses.¹⁰

- In a case publicly denounced by his attorney, an individual attempted suicide in his cell on October 9, 2016 using a bed sheet, after weeks of sleep deprivation. He was transported to a behavioral health hospital but subsequently ordered deported and removed to Mexico just four days later, despite his doctor’s recommendation that the individual be treated and observed for at 7 to 10 days. His attorney reported that, as a result of his investigation after this incident, at least two other individuals currently in the EPC have also recently attempted suicide (one in the EPC and the other before being transferred from the West Texas Detention Center in Sierra Blanca).

- Less than a month after this suicide attempt, which had been preceded by sleep deprivation, medical staff discontinued an asylum seeker’s psychotropic medication on October 21, 2016 which he had received for over a year to treat symptoms of PTSD, while held in segregation and despite the individual’s objections. This individual reported that the denial of this medication caused the return of night tremors and inability to sleep.

- Multiple detainees described being pressured by guards or medical staff to sign statements that they denied medical treatment after disputes.

¹⁰ ICE Office of Detention Oversight Compliance Inspection (Mar. 15-17, 2016), pg. 6.

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UNSANITARY AND INSUFFICIENT FOOD PREPARATION

- A woman detained for four months, underwent 23 days without a full meal from July to August 2016 after ingesting contaminated food, becoming violently ill, and being denied requests to receive pre-packaged food. ICE deported the individual in mid-August, and she was hospitalized shortly thereafter with an advanced bacterial infection. Doctors operated in order to remove an E-Coli infected abscess from her throat. Her treatment by EPC officials illustrates the day-to-day callousness displayed towards many detainees. According to her testimony and grievances to ICE administrators, this individual bit into a cockroach in the food prepared in the facility's kitchen on June 20, 2016. She reported falling ill for days afterward and requested meals consisting of pre-packaged food. These requests were denied for nearly a month, despite EPC norms ostensibly allowing individuals to access alternative dietary regimens. When she refused to eat the food prepared in the cafeteria, guards forced her to sit through meals and threatened to punish her with solitary confinement. She reported that staff taunted her, including by nicknaming her "la cucaracha" (the cockroach) and singing the song of the same name. She told us she believes the bacterial infection that she was operated for upon arrival in her home country was worsened, if not originated, during her custody at the EPC.
- One detainee wrote that he had lost 17 pounds over his three months in the detention center and described undercooked meals as well as "rocks and hair on the food." The family of two other detainees repeated similar assertions about their own loved ones, saying they had experienced alarming weight loss in detention. Interviewees described multiple instances in which groups of detainees refused meal service due to the inedible quality of food, and another stated that kitchen staff routinely ran out of staple foods in mid-meal due to poor planning.
- Another individual told us he requested and received high-fiber meals when he first arrived at the facility in late 2015, but that these were later discontinued. After the detainee inquired, medical staff gave him fiber suppositories, which he felt were insufficient and demeaning. This individual was only able to have the high-fiber meals reinstated after the facility's psychiatrist ordered them as a response to the detainee's depression.

- Multiple interviewees described food contaminated with cockroaches, other bugs, pebbles, or hair. “Most of the time they’ll give us another plate of food,” a detainee wrote us, “and there’s those times when the captain or lieutenant will tell you ‘I don’t work the kitchen, deal with it’.” We were also repeatedly told that food was often less-than-fully-cooked. One person stated that food quality markedly improves on days that inspectors or visitors are present.

“Most of the time they’ll give us another plate of food... and there’s those times when the captain or lieutenant will tell you ‘I don’t work the kitchen, deal with it’.”

Freshy

10/21/16 ~~Mon~~ - at 3:00 p.m. we were visited here in JAIL-12 by [REDACTED] for a welfare check.

Her visit was to let us know that the mental health advisors would be absent for the week and that she would be in charge of any mental health ^{concern} we might have. She asked us basic questions like how we were feeling, any thoughts of suicide? which activities do we do to keep our minds busy? and if we have been taking our medication? I told Mrs. [REDACTED] that I was doing fine but ~~that~~ that I've had days when I don't feel well and would appreciate speaking with the mental health advisor. She told me that if I ever want to speak to someone about the day I'm having that I could call on her since she would be in charge of attending any situation concerning our mental health. Later that night, I was caught up reading when I noticed the 3rd shift staff had already checked in. Concerned about why my medication hadn't arrived, I asked the officer that I hadn't received my medication. I was told that he would call and check with medical about my medication. Moments later ~~she~~ he told me that he had called medical concerning my medication and was told that my medication had been discontinued. I had no idea that my medication which I take for PTSD, depression, and anxiety, had been cancelled and was not given warning ~~to~~ by anyone that it would be discontinued. I was restless the entire night and was unable to sleep at all.

10/22/16 Sat. - Woke up with a terrible headache from the lack of sleep. I decided to get up from bed and not allow myself to fall into depression thinking about why my medication had been discontinued. I was given fresh linens to exchange for dirty ones and without finishing making my bed I felt a rush of anxiety taking over so I asked officer [REDACTED] if I could go outside for my morning hygiene recreation. Once outside I immediately called my wife and told her I wasn't feeling too good and that my medication had been cancelled. While on the phone it was approached by KIN [REDACTED] for a routine welfare check and asked me if I was doing ok. I quickly responded and told Mr. [REDACTED] that I was not feeling too well and was unable to sleep due to not taking my medication. He asked me the name of the medication I'm taking and told me that he would go check on why I hadn't been given my medication. While back in my cell, Mr. [REDACTED] came back and told me that mental health advisor Dr. [REDACTED] had discontinued my medication. I asked him if he knew the reason why and if Dr. [REDACTED] was authorized to cancel my medication since Mrs. [REDACTED] is my mental health advisor.

This journal entry was written by a man held in solitary confinement and describes his inability to sleep after his medication for symptoms of PTSD was abruptly discontinued.



**U.S. Immigration
and Customs
Enforcement**

**Enforcement and Removal Operations
El Paso Processing Center
8915 Montana Ave.
El Paso, TX 79925**

Detainee Request to Staff Member
Petición de el Detenido al Miembro de Personal

Staff Member/Officer's Name: <i>Nombre de el Oficial:</i> [REDACTED]	Date: <i>Fecha:</i> 30-junio-2016
Detainee Name: <i>Nombre de el Detenido:</i> [REDACTED]	Alien Number (A#): <i>Numero de Extranjero (A#):</i> [REDACTED]
Country of Birth: <i>Pais de nacimiento:</i> Colombia	Unit/Dormitory: <i>Unidad/Dormitorio:</i> 8-B

REQUEST: Señor(a) Deportador (a) deseo que tenga un buen día, solicito por favor su ayuda, el 20 de junio en la cena habia una cucaracha en los frijoles, sin darme cuenta me la lleve a la boca, y la mastique, eso me genero mucho vomito y repugnancia, despues de eso no he podido volver a comer lo preparado en la cocina por lo cual llebo mas de una semana he padecido injusticias en este lugar, duey mi corazon se desclero tan fuerte que hasta yo misma lo escuche y me desmaye, me encuentro muy debil, tube una baja de azucar que llebo a 58, he bajado mucho de peso y mi semblante, he tocado muchas puertas para que me proporcionen fruta o comida y nadie me ayudo, todo lo contrario me an dicho que es ridiculo, por favor ayudeme, no creo que pueda aguantar el resto de mi proceso. Dios le siga bendiciendo

If more space is needed to complete your request, please use the reverse side of this form. All requests will be addressed by priority.

Si es necesario mas espacio para completar su petición, por favor use el lado reverso de esta forma. Todas las peticiones serán dirigidas por prioridad.

Staff Comments (Comentarios del Personal):

PROPERTY OFFICER: Date received: _____ Date filed: _____

EPC-PBND-0094

REV. 12/13

This grievance form, part of a long series of grievances and testimonies sent to us by this detained woman, describes unwittingly biting down on a cockroach hidden in her food. When she vomited and felt ill afterward, she requested a diet made up of fruit and sealed food and was denied. In the grievance, she describes low blood sugar, loss of weight, and a fainting episode. Shortly after this women was deported, she was operated on to remove an advanced bacterial infection in her throat.

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PROLONGED DETENTION AND FAMILY SEPARATION

Although immigration detention is not legally supposed to constitute punishment for any criminal offense, but is rather supposed to function as an administrative measure while detainees' legal processes play out, both government and privately-operated facilities are largely modeled after high-security prison facilities. Detainees live in an environment composed of barbed wire, highly-regimented routines, and total subordination to guards. This environment has predictable, detrimental effects on detainees. As one detained person wrote to us, "They treat us like animals ... I try to stay strong and keep my head up but this place breaks you down." Another letter simply stated, "this facility is worse than prison."

Most of the people we interviewed had been detained for more than three months, including some who had spent well over a year in immigration detention. Prolonged detention causes hardships to both detainees and their families, including loss of income, heightened emotional distress, and parental absence in children's lives.

- The majority of people we interviewed described struggling with depression inside the EPC and multiple individuals stated that bleak conditions and hostile behavior by officials cause many detainees to abandon their legal cases and accept removal from the country. Many of the medical documents sent to us by detainees mention symptoms of depression related to detention or medications prescribed for this illness.
- We spoke to multiple long-term detainees with parents, spouses, and children in the United States, most of whom are U.S. citizens or permanent residents. Likewise, we spoke to numerous family members of detained individuals. Issues of present and future family separation were primary sources of anguish for all involved, and family members described being further troubled by obstacles to visitation or telephone calls (e.g. being denied weekly visit with only vague explanations or seemingly arbitrary changes to visitation rules) as well as a feeling of powerlessness when detainees showed signs of worsening physical or mental conditions, such as rapid loss of weight.
- The longest-detained person we encountered was an asylum-seeker from a predominantly Muslim country who had been in held in the EPC since December 2014, nearly two years. He considered his trouble accessing effective legal counsel as a principle reason for his extremely extended detention.

- One detainee told us he agreed to his own deportation after one month in detention, yet lingered in EPC for over three months longer simply waiting for removal.

“They treat us like animals...
I try to stay strong and keep my
head up but this place
breaks you down.”



Demands

The Detained Migrant Solidarity Committee opposes all forms of migration detention, border militarization, and the criminalization of migrants and migration. However, given the current political environment, which shows every indication of perpetually continuing mass immigration detention, it is incumbent that the basic human and civil rights of migrants are respected and upheld.

Accordingly, in light of the outcry we've received from individuals detained in the EPC and the numerous forms of abuse and negligence we have documented in this report, we propose that the proper authorities, including Department of Homeland Security and our legislative representatives take the following concrete steps to ensure that all people in ICE detention are treated with dignity and in accordance with their basic human rights, and that ICE officials are held accountable for their administration of the EPC:

1. Take concrete steps to end the use of any form of solitary confinement (i.e. administrative segregation, isolation, Special Management Units) as a punitive or long-term administrative measure.
2. Implement regulatory steps to ensure the provision of timely and comprehensive mental and physical health care to address the health care needs of detainees, that meets generally accepted standards of care and affords respect to the patient. This should include a bar on the provision of these services by profit-seeking, cost-cutting private companies, as these companies are subject to less oversight and regulation than government agencies.
3. Implement regulatory steps to ensure detainees receive sanitary, sufficient, and consistent food service, including a bar on the provision of these services by profit-seeking private companies.

4. Oblige ICE officials in El Paso to use their discretion to the fullest extent possible to minimize prolonged detention and family separation, and increase oversight mechanisms and procedures to increase transparency of how, when, and why discretion is or is not exercised to ensure this occurs.

5. Initiate a thorough congressional inquiry into conditions at the El Paso Processing Center, which would include:

- a. Compelling ICE and GPS administrators to turn over records, including incident and disciplinary logs, records of medical treatment, grievances and informal complaints lodged by detainees, and records relating to the use of segregation and holding cells.
- b. Personal interviews with current and former detainees at the facility, particularly those held for extended periods of time (over three months) regarding their treatment and conditions.
- c. A comprehensive review of issues relating to access to legal counsel, physical and mental health impacts of detention, use of punitive measures and threats against detainees, and oversight of private contractors in all aspects of operations.

6. Pass legislation to increase oversight, transparency, and accountability for ICE operations, similar to the bill Congressmen Beto O'Rourke and Steve Pearce recently introduced to increase accountability for Customs and Border Protection operations.



DETAINED MIGRANT
SOLIDARITY COMMITTEE

EL PASO, TEXAS

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